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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
John Richard BERGAN)
Serial No. 09/558,060) Examiner: B. To
Filed: April 26, 2000) Group Art Unit: 2172
For: DATA CHECKER APPARATUS) September 5, 2003
AND METHOD)

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RESPONSE TO OFFICE ACTION OF JUNE 9, 2003

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

Reconsideration of claims 1-12 is requested. These claims have been rejected under 35 U.S.C. §103 based upon U.S. Patents 5,835,758 (Nochur et al.), 6,269,355 (Grimse et al.) and 5,864,869 (Doak et al.). The subject matter disclosed in these patents has little, if any, relevance to the combination of elements or steps defined in these patents and the rejection of these claims is unwarranted.

The claims are deemed allowable for reciting a combination of elements or steps forming a data checking system or method for determining if necessary files and data have been entered into a computerized management system having a data base containing a plurality of files and data wherein an item list defining possible data in the computerized management

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system is displayed, the user selects one or more items in the item list as necessary for the management system and requests a check of the selected items, and an inspection of the management system data base is conducted to determine the presence of the selected items along with the results of the inspection being reported. Dependent claims 2-4 and 6 further define the item list to include lesson plan information and child development areas with the inspection determining if lesson plans exist for a selected period and determining the presence of child accomplishment in selected child development areas.

As noted in the specification on page 1, computerized management systems generally have multiple users who enter and maintain data files in a central data base. The effectiveness of the management system depends upon all the multiple parties using and entering the correct files and data. Thus there exists in the prior art a need for a simple and easy apparatus and method for determining if necessary files have been entered and whether certain data has been entered correctly. Additionally there exist differences between different agencies and between users in an agency on what files and/or data are necessary to maintain a desired degree of usefulness of the system.

The present invention supplies that need of the prior art by providing an apparatus and method for checking a database of a computerized management system for files and/or data necessary for the management system including a procedure for allowing a user to select one or more areas or items from a list of areas or items defining possible files and data in the

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management system. In response to the user requesting a check of the data base, a procedure determines if the items in the selected area or the selected items are present in the data base.

Nochur et al. discloses a method and system for representing and processing physical and conceptual entities and, in particular, enables the user to generate "maps" such as shown in Fig. 6 which contain different types of symbols which can be placed in a map by a cursor and in which labels can be typed. The elements in the map can be connected. Fig. 7 of Nochur et al. shows that various attributes can be assigned to the different elements in the map. Fig. 8 illustrates that elements in one map can be linked to another map. Fig. 9 illustrates grouping of folders wherein folder 91 contains a list of text and map documents 91g. The office action cites column 10, lines 11-27:

"The user can create a to-do list which may be freestanding or attached to actionable items on a map or other document. This accomplished via action module 204 which handles the tasks of creating and saving to-do items, and transferring relevant to-do entries from existing items or memos via database manager 25. The user can invoke the to-do list via visual interface manager 20 which passes control to action module 204. Various parameters to generate alerts and reminders--such as dates, times and monitoring frequencies--can also be specified in action module 204. These parameters are checked against item attributes, dates attached to to-do entries, current time and date, and other variable to trigger reminders and other such messages to alert users regarding the status of various items and documents. These reminders and alerts are displayed via visual interface manager 20 and accompanied, if so specified, with audible and other signals."

This disclosure that module 204 (box 204 in Fig. 2) can be used to create a to-do list with dated reminders and that the module can be programmed to alert users on the date of a reminder is not a disclosure of any item list defining possible data in a computerized management system, enabling a use to select one or more items in the item list, or performing

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an inspection of the management system data base to determine the presence of the selected items. The statements in the office action in the top three paragraphs of page 3 are erroneous. In the fourth paragraph on page 3 the office action further states that: "Nochur does not explicitly teach the results of the conducted inspection." This statement erroneously indicates that Nochur et al. teach the claimed inspection – Nochur et al. do not conduct an inspection of any database. The office action then further cites column 10, lines 55-58 as teaching the reporting of results. Column 10, lines 55-58 have nothing to do with the to-do list, rather Nochur et al. are referring to the general utility of the maps that their system generates, i.e., users can use the information in the maps, etc. to determine the correctness and completeness of documents.

The office action in the last three paragraphs on page 3 cite column 6, lines 39-40 of Nochur et al.:

"Alert sub-module 174 allows users to define formats 177 and dialog boxes 176 for reminders and alert messages that will be triggered based on conditions such as: pre-defined times and dates; attributes, or changes in attributes, of items, links, maps, cases, or text documents; comparisons between attributes of one item at different times; comparisons between attributes of different items at a particular time; and system related events."

Setting a date on which the system automatically generates a reminder or an alert message is not a disclosure of setting a time period during which a date associated with items in a database being searched must fall.

Grimes et al. discloses an automated process guidance system and method using knowledge management system wherein a computer knowledge system assists in the

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management of attendance and problems associated with absenteeism. The office action states:

"The checking attendance is the presence of lesson plan. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Grimse into Nochur because allowing the checking of lesson plan would allow the school to track the student progress in the school."

The checking of attendance has nothing to do with the checking of a database for the presence of lesson plans.

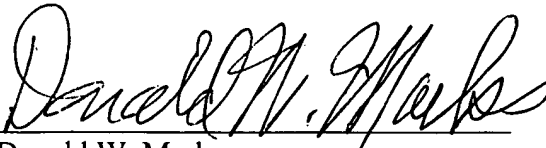
Doak et al. disclose a process for developing, creating, editing and maintaining generic and subject-specific lesson plans, grade sheets, personal information and other classroom information. The office action quotes column 5, lines 31-35 of Doak et al. and the teaching that the teacher can publish or print out various information including a progress report. However the publishing or printing of a student progress report is not a teaching of inspecting a database for the presence or absence of entries of child accomplishment.

Since the teachings of Nochure et al., Grimse et al. and Doak et al., taken singly or in combination, do not suggest any apparatus or method for meeting the prior art need for a simple and easy apparatus and method for determining if necessary files or data are missing, the claims are clearly novel and patentable over the prior art. The continued rejection of the claims is untenable.

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This application is in condition for allowance and such favorable action is requested.

Respectfully submitted,

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